

IDNR Master Matrix Technical Advisory Committee
Urbandale, Iowa
MEETING SIX
August 21 and 22, 2002

SUMMARY MINUTES

- 1.10 Welcome from Federal Mediation & Conciliation Service (FMCS)
Introduction of Committee members, FMCS facilitators, and public attendees.
- 1.11 Committee members and FMCS facilitators present:
- Brent Halling, Iowa Department of Agriculture
 - Robin Pruisner, IDNR
 - Jack Cameron, University of Iowa (Uof I) (alternate)
 - John Lawrence, Iowa State University (ISU)
 - Susan Heathcote, Iowa Environmental Council
 - Jim Gustafson, Iowa State Association of Counties (alternate)
 - Calvin Rozenboom, Farm Bureau
 - Aaron Heley Lehman, Iowa Farmer's Union (alternate)
 - Kevin Vinchattle, Iowa Poultry Association
 - John Korslund, Iowa Pork Producers Association (alternate)
 - Rosemary Hayes, FMCS
 - Danny Mabe, FMCS
 - Keith Norton, FMCS
 - Tim Benton, Attorney General, advisor
 - Christine Spackman, IDNR, recorder
- 1.12 Public attendees:
- Michelle Meineke, Iowa Farm Bureau
 - Wendy Walker, Iowa Department of Economic Development
 - Theresa Kehoe, Iowa Senate Democratic Staff
 - Deanna Roelfs, Iowa Select Farms
 - Robert Mulqueen, Iowa State Association of Counties
 - Elizabeth Horton Plasket, Iowa Environmental Council
 - Nick Biggs, Tri Oak Foods
 - Eldon McAfee, Iowa Pork Producers Association/Bevington Law Firm
 - Lew Olson, Iowa House Republican Staff
 - Liz Wagstrom, National Pork Board
 - Joe Greving, Environment and Agriculture Together
 - Patrick Webb, Iowa Department of Agriculture and Land Stewardship
 - Mike Blaser, Iowa Select Farm/Brown Winick Law Firm
 - Mary Braun, Iowa House Democratic Staff
 - Wayne Gieselman, IDNR
 - Karen Grimes, IDNR
 - Linda Kinman, Des Moines Water Works
 - Dorann Richtsmeier, Iowa Select Farms
- 1.13 There was one presenter during the 30-minute public participation time. Dr. Liz Wagstrom, National Pork Board, provided comments on subtherapeutic antibiotic usage with livestock (Exhibit 52). She had given a presentation at a previous meeting but at John Korslund's request and with the consensus of the Committee she spoke again.

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- 1.14 Robin Puisner introduced Dr. Pat Webb, a veterinarian with Iowa Department of Agriculture and Land Stewardship, to answer questions from the Committee concerning defining antibiotic and subtherapeutic. He indicated that a list of subtherapeutic antibiotics could be generated.

Robin Puisner discussed a handout of materials used for worker safety provided by Nick Biggs, Tri Oak Foods (Exhibit 53). She also mentioned an email from Susan Heathcote concerning this issue (Exhibit 54). Robin indicated that Farm Bureau Insurance does not have a standardized form for a worker safety/health plan.

- 1.15 Rosemary Hayes asked for comments on the minutes of the prior meeting. The following changes were made – Eldon McAfee represents Iowa Pork Producers Association, the correct spelling of Jim McKean and Norm Moglestad, add “within a category (Air, Water, Community)” to the end of 1.116, and include Elizabeth Horton Plasket as representing Iowa Environmental Council part of the day for August 15. Jack Cameron handed out a corrected statement by Dr. Gilchrist from the prior meeting (Exhibit 55). The Committee approved by consensus the minutes as amended.

- 1.16 The Committee continued to discuss the mitigating factors starting where they had ended during the prior meeting – permit application includes worker health and safety protection plan. The Committee added this mitigating factor to the parking lot list with the assignment to a subcommittee to develop a basic list of criteria for a plan by the following day. The subcommittee is composed of John Lawrence, Calvin Rozenboom, and Jack Cameron.

- 1.17 BREAK – 15 minutes at 10:30 AM

- 1.18 The Committee continued to discuss the mitigating factors. A ten-minute Caucus was held at 11:50 AM.

- 1.19 LUNCH RECESS at Noon

- 1.110 The Committee revisited the definition of parking lot issues and how to move forward. Tim Benton offered that if a parking lot issue is permanently tabled that it could be added back by the DNR in the rulemaking process.

A 10-minute Caucus was held at 1:55 PM.

Some further discussion occurred on what leeway the Department has in what it recommends to the Environmental Protection Commission after receiving the Committee recommendations or lack of recommendations.

A consensus decision was reached to finish going through the mitigating factor list.

The Committee continued to review the mitigating factor list with the following actions: monitoring air added to parking lot issues; add NRCS-approved comprehensive nutrient management plan as a new mitigating factor; timing of flushing, pumping, pushing added to parking lot issues; changing the wording of monitoring water to groundwater monitoring around the facility with data provided to DNR; and removed use of products that promote odor control.

- 1.112 BREAK 15 minutes at 3:20 PM

- 1.116 A copy of the parking lot issues was distributed to the Committee. (Exhibit 56) Truck turn around was moved to community impact.

The Committee recategorized the factors combining site separation with site and structures and combining nutrient management and operation and leaving community impact as a separate category.

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A 5-minute Caucus was held.

Further discussion of the grouping of factors occurred. The Committee agreed that this grouping was only for ranking purposes.

The Committee agreed to the ranking to identify the relative importance of the mitigating factors by assigning tentative points to each factor, understanding that this is a first step in working toward a final product.

Scoring range for the ranking was then discussed. Scoring options were set 0, 5, 10, 15, 25, 35, 50, 75, 100, 200 with a cumulative score of 1220.

- 1.121 Meeting adjourned at 5:10 PM to be reconvened at August 9 at 8:00 AM.

IDNR Master Matrix Technical Advisory Committee
Urbandale, Iowa
MEETING SIX
August 22, 2002

SUMMARY MINUTES

1.20 Opening

1.21 Committee members and FMCS facilitators present:

- Brent Halling, Iowa Department of Agriculture
- Robin Pruisner, IDNR
- Jack Cameron, University of Iowa (U of I) (alternate)
- John Lawrence, ISU
- Susan Heathcote, Iowa Environmental Council
- Jim Gustafson, Iowa State Association of Counties (alternate)
- Calvin Rozenboom, Farm Bureau
- Aaron Heley Lehman, Iowa Farmer's Union (alternate)
- Kevin Vinchattle, Iowa Poultry Association (alternate)
- John Korslund, Iowa Pork Producers Association (alternate)
- Rosemary Hayes, FMCS
- Danny Mabe, FMCS
- Keith Norton, FMCS
- Tim Benton, Attorney General, advisor
- Christine Spackman, IDNR, recorder

1.22 Public attendees:

- Michelle Meineke, Iowa Farm Bureau
- Wendy Walker, Iowa Department of Economic Development
- Elizabeth Horton Plasket, Iowa Environmental Council
- Deanna Roelfs, Iowa Select Farms
- Dorann Richtsmeier, Iowa Select Farms
- Mary Braun, Iowa House Democratic Staff
- Theresa Kehoe, Iowa Senate Democratic Staff
- Robert Mulqueen, Iowa State Association of Counties
- Deanna Roelfs, Iowa Select Farms
- Paul Sundberg, National Pork Board
- Joe Greving, Environment and Agriculture Together
- Eldon McAfee, Iowa Pork Producers Association
- Lew Olson, Iowa House Republican Staff
- Linda Kinman, Des Moines Water Works
- Nick Biggs, Tri Oak Foods
- Rick Kelley, U of IA Hygienic Lab
- Mike Wentzlev, county
- Larry Vest, Tama County
- Gail McCarthy, Iowa Health System
- Gigi Wood, Associated Press
- Karen Grimes, IDNR

1.23 John Lawrence, ISU committee member, described an amendment to Exhibit 53 as a proposal prepared by the subcommittee on the worker safety/health plan. (Exhibit 57) The Committee found this proposal to be acceptable and removed that mitigating factor from the parking lot list.

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- 1.24 John Lawrence proposed the following language for emergency containment and the Committee found the proposal acceptable and removed that mitigating factor from the parking lot list.
Emergency containment – A constructed earthen structure surrounding the manure pump out area designed to capture accidental spills equal to 5% of the manure storage capacity. Because this structure is not intended for long-term storage, it does not have to meet the same permeability standards as earthen manure storage.
- 1.25 John Lawrence proposed the following language for modeling and the Committee found the proposal acceptable and removed that mitigating factor from the parking lot list.
Modeling – Points will be awarded for site selection based on an air quality model that reduces the annoyance to less than 2% of the time for residences within a distance of two times the setback distance. Residences that have signed a waiver are excluded. The University of Minnesota “OFFSET” model shall be used until DNR (EPC) recognizes other models accredited by publication in scientific journals.
- 1.26 The Committee proceeded to score the mitigating factors based on the guidelines established on August 21 using TAGS.
- 1.27 John Lawrence proposed the following language for ‘defined added economic community value’
The applicant shall provide a list of projected annual expenses and amounts including: property taxes, payroll, feed, interest, veterinary services and products, trucking, utilities, accounting, and other expenses. If housing is provided at or near the site it should be included. Providers of the inputs should be included if known.
- The Committee decided by consensus to merge the quality job factor and defined economic value factor using property taxes and number of jobs being added to salary levels.
- 1.28 Break – 15 minutes at 10:00 AM
- 1.29 Two TAGS reports of the scored mitigating factors were distributed. (Exhibits 58 and 59)
The Committee continued to discuss changes to mitigating factors:
- Timing of flushing, pumping, pushing was dropped
 - Groundwater aquifers was dropped
 - Facility waiver of confidentiality of manure management plan records was moved from parking lot issues back to the list but would be scored low (possibly 5 points).
 - Added economic development based on number of full time equivalent quality jobs at the facility (graduated point scale) and increase in property tax base. Quality job based on Iowa (IWD Region) workforce development median 45-2093
 - Monitoring air will be reworded with language provided by Robin Pruisner after the lunch break.
- 1.210 The Committee discussed point structure for the matrix. Two subcategories were agreed to – Construction/Site and Operation/Manure Management Plan with headings of air, water, community. The Committee decided to move the mitigating factor list to Excel with headings of score, air, water, and community.
- Another TAGS report featuring the mitigating factors list in priority order was distributed to the Committee. (Exhibit 60)
- 1.211 LUNCH recess at 11:30 AM
- 1.212 John Korslund distributed to the Committee a proposed community mitigation for responsible antibiotic usage annual certification. (Exhibit 61) Kevin Vinchattle stated that not all of this paper would be appropriate for poultry and may not be totally applicable to dairy cattle.

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- 1.213 The Committee continued to discuss selecting points for each mitigating factors:
- Residences, Hospitals, nursing homes, licensed/registered daycare centers, licensed residential care facilities (100 points)
 - Public Use Areas (567 IAC Chapter 65) (30 points)(Robin Pruisner distributed a handout on construction separation distances Exhibit 62)
 - Schools, churches, Business/Commercial Enterprise (30 points)
 - Water sources (30 points)
 - Thoroughfares (30 points) 200 feet + setback
 - Critical public areas as defined in Code (10 points)
 - Distance to private and public wells 2 X separation distances (30 points)
 - Ag drainage wells/sink holes, major water sources (50 points) sliding scale
 - Designated wetlands 2 X separation distance (5 points)
 - Distance to nearest facility with MMP –3/4 mile (25 points)
 - High quality water resource which includes HQ, HQR, and PWA 2 X separation distance (30 points)

A discussion occurred of monitoring air quality at an animal feeding operation as a mitigating factor with Jim McGraw and Bryan Bunton, IDNR. Monitoring air was removed from the parking lot and mitigating factor lists.

The language of modeling was revisited and discussed again with the language remaining unchanged.

- 1.214 BREAK – 15 minutes at 2:45 PM

- 1.215 The Committee began discussing how they would conclude their work with the time running out. Robin Pruisner introduced Wayne Gieselman, IDNR, who gave the IDNR perspective on the timeline in the statute and the Environmental Protection Commission's actions.

- 1.216 The following was proposed:
By Monday August 26 each member will provide by email to the recorder what dates they are available during the week of Sept 3 – 6 for one day, 9 to 5 to conclude this Committee's charge and will allow for additional alternates. The Committee was polled and a consensus was not reached (three of the members present did not agreed to this).

The following was proposed:
By Monday, August 26, each member will provide by email to the recorder what dates they are available for a two day meeting during the week of September 3 through 6 to conclude this Committee's charge and will allow for additional alternates. The Committee was polled and those present agreed by consensus. Aaron Heley Lehman was not present.

The Committee decided that the next steps to reach completion were

1. Two parking lot issues
2. Assign points
3. Assign % to risk factors
4. Determine threshold
5. Example scoring of 2 cases
6. Final recommendation

- 1.217 The agenda for the next meeting was discussed. Items on the agenda will include the ½ hour participation and above list.

- 1.217 Meeting adjourned at 5:10 PM to be reconvened on a date in the first week of September.

CONSENSUS DECISION SUMMARY

PARKING LOT ISSUES

- Absence of subtherapeutic antibiotic supplementation
- Separation distances – facilities in relationship to unknown distance between poultry and swine

ATTACHMENT Master Matrix Technical Advisory Committee Recommendations

Exhibit 52 – Technical Clarification on Nelson Moyer Summary by Liz Wagstrom, National Pork Board, presented by John Korslund, Iowa Pork Producers Association

Exhibit 53 – Safety Orientation, Emergency Phone Numbers, New Employee Orientation Checksheet prepared by TriOak Foods and presented by Robin Pruisner, IDNR

Exhibit 54 – Susan Heathcote’s email to the Committee concerning Exhibit 53, presented by Robin Pruisner, IDNR

Exhibit 55 – Corrected Version of Dr. Mary Gilchrist’s Statement to the Committee of August 15, presented by Jack Cameron, U of IA

Exhibit 56 – TAGS IDNR Parking Lot Issues

Exhibit 57 – DNR Master Matrix, Minimum Standards for Safety & Health Program

Exhibit 58 – TAGS Report – Facilitate.com

Exhibit 59 – TAGS Polling Results

Exhibit 60 – TAGS Review of Mitigating Factors

Exhibit 61 – Proposed Community Mitigation, Responsible Antibiotic Usage Annual Certification, presented by John Korslund, DVM, Iowa Pork Producers Association

Exhibit 62 – Construction Separation Distances, Public Use Areas, presented by Robin Pruisner, IDNR